

Approved For Release 2005/08/03 : CIA-RDP81M00980R000700080017-9

MEMORANDUM FOR : Deputy Director for Administration  
Attention: [redacted]  
Deputy Director for Science & Technology  
Attention: [redacted]  
Director, NFAC  
Attention: [redacted], Congressional Support  
Inspector General  
Attention: [redacted]  
Comptroller  
Attention: [redacted]  
Assistant for Public Affairs  
Deputy to the DCI for Resource Management  
Attention: [redacted]  
Deputy to the DCI for Collection Tasking  
Attention: [redacted]  
Deputy Director for Operations  
Attention: [redacted]  
Legislative Counsel  
Attention: [redacted]

CC #78-1344/129

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FROM : [redacted]  
Assistant General Counsel

SUBJECT : S.2525 - Proposed Intelligence Charter  
Legislation - Title II, Issue Paper

1. Attached, for your information, is a copy of the most recent version of the Issue Paper concerning Title II of S.2525 and the Charter Legislation Working Group revision of that title. Except as noted in the covering memorandum, and unless there are substantial difficulties with some portion of this paper, it is intended to be more or less final.

2. The SCC meeting scheduled for 20 November was cancelled in order to provide an opportunity for the staff of the Senate Select Committee on Intelligence to furnish its views as to the salient differences between the two versions of Title II. The SCC is scheduled to meet on these matters for the first time on 27 November.

cc: DCI  
DDCI  
OSO  
SA/DCI

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Washington D.C. 20505

MEMORANDUM FOR : Department of Defense  
                  Attention: Deanne Siemer  
                  Department of Justice  
                  Attention: Ken Bass  
                  Department of State  
                  Attention: Jeffrey Smith  
                  Department of Treasury  
                  Attention: J. Foster Collins  
                  Office of Management and Budget  
                  Attention: Arnold E. Donahue  
                  Federal Bureau of Investigation  
                  Attention: John Hotis  
                  National Security Agency  
                  Attention:   
                  National Security Council  
                  Attention: Sam Hoskinson

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FROM : Anthony A. Lapham  
General Counsel

SUBJECT : S.2525 - Proposed Intelligence Charter  
Legislation - Title II Issues Paper for  
SCC Consideration

Enclosed is a revised version of the Title II Issue Paper which incorporates many of the comments and suggestions furnished by the Working Group members. I have scheduled a Working Group meeting for 10:30 a.m. in Room 1S06 of the Community Headquarters Building on Wednesday, 22 November, to discuss the paper and the matters described below.

You will note that three new issues have been added - III. 5., Targeting Standards for Physical Searches in the U.S., III. 8., Minimization Procedures for NSA "Vacuum Cleaner" Activities, and IV. 9., Intelligence Relations with Exchange Program Participants. The first two issues may be transitory if agreement is possible as to those issues and necessary language changes in the draft revision of Title II. The third new issue is the result of a change of heart on the part of ICA as to the acceptability of a Presidential directive to govern use of exchange program participants. Also, it seemed desirable, given the complexity of Issue III. 3., AG Approval of Physical Searches, to restate that issue in the form of a number of sub-issues.

Please note in addition that these materials include not only the version of Issue II. 1., Form of the Legislation, which was part of the first draft of the paper, but also an alternative statement of that issue proposed by DOD. Both versions are included for your consideration prior to determining at the Working Group meeting which version should be used.

DOD has also proposed that Issues I.1., I.2., II.2., II.3., II.8., III.4., IV.1., IV.2., IV.3., IV.4., IV.5., V.1. and V.3. be relabeled as "Information Issues" and relocated to an Annex to each of the appropriate parts of the issue paper. While my own feeling is that most of these issues concern substantial matters which should not be deemphasized in this fashion, I would appreciate your views on the subject at the Wednesday meeting.

The SSCI Staff has been furnished a copy of the Title II revision and Bill Miller and members of the staff have registered their views this week on several aspects of that draft. They have promised to furnish us with a paper identifying their concerns by early next week and that paper, along with an Introductory Statement to the SCC Issue Paper, should be available for discussion at the Working Group meeting that I have scheduled on 22 November.

Finally, we have prepared, and enclose for your reference and use, a matrix comparing the relevant provisions of E.O. 12036, S.2525, and the Working Group revision of Title II.

Sincerely,

[Redacted Signature]

Anthony A. Lapham  
General Counsel

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Enclosures